

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS,
MCALLEN DIVISION**

MARIN LOPEZ, et al.,

Plaintiffs,

VS.

CIVIL ACTION NO. 7:20-cv-0033

JURY DEMANDED

**RIO GRANDE CITY
CONSOLIDATED INDEPENDENT
SCHOOL DISTRICT, et al.,
Defendants,**

PLAINTIFFS' RULE 26 INITIAL DISCLOSURES

Pursuant to Rule 26(a) of the Federal Rules of Civil Procedure, Plaintiffs Marin Lopez, et al., (hereinafter “Plaintiffs”), by and through counsel of record in the above-identified matter, hereby makes the below initial disclosures. Plaintiffs will not produce any documents or other information that is privileged, or that is otherwise protected from discovery or disclosure, and objects to producing any such documents or information. Such documents or information that will not be disclosed, include (but are not limited to) attorney-client communications, attorney work product, and any other documents that are privileged and or protected from discovery or disclosure. Plaintiffs reserve the right to supplement these initial disclosures at any time.

- 1. F.R.C.P. 26(a)(1)(A): The name and, if known, the address and telephone number of each individual likely to have discoverable information – along with the subjects of that information - that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.**

The following persons are likely to have discoverable information that Plaintiff may use to support his claims and or defenses:

a. Mr. Marin Lopez
Plaintiff
c/o Mr. Alfonso Kennard, Jr.
KENNARD LAW, P.C.
2603 Augusta, Suite 1450
Houston, TX 77057
Main: (713) 742-0900
Fax: (713) 742-0951
Alfonso.Kennard@kennardlaw.com

Mr. Lopez is a Plaintiff in this case. Mr. Lopez has knowledge of the facts surrounding his claims of first amendment retaliation and breach of contract.

b. Mr. Pedro Bermea
Plaintiff
c/o Mr. Alfonso Kennard, Jr.
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Fax: (713) 742-0951
Alfonso.Kennard@kennardlaw.com

Mr. Bermea is a Plaintiff in this case. Mr. Bermea has knowledge of the facts surrounding his claims of first amendment retaliation and breach of contract.

c. Mr. Trinidad Lopez
Plaintiff
c/o Mr. Alfonso Kennard, Jr.
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Mr. Lopez is a Plaintiff in this case. Mr. Lopez has knowledge of the facts surrounding his claims of first amendment retaliation and breach of contract.

d. Mr. Arturo Menchaca
Plaintiff
c/o Mr. Alfonso Kennard, Jr.
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Mr. Menchaca is a Plaintiff in this case. Mr. Menchaca has knowledge of the facts surrounding his claims of first amendment retaliation and breach of contract.

e. Mr. Eladio Bermudez
Plaintiff
c/o Mr. Alfonso Kennard, Jr.
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Mr. Bermudez is a Plaintiff in this case. Mr. Bermudez has knowledge of the facts surrounding his claims of first amendment retaliation and breach of contract.

f. Mr. Javier Garcia
Plaintiff
c/o Mr. Alfonso Kennard, Jr.
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Mr. Garcia is a Plaintiff in this case. Mr. Garcia has knowledge of the facts surrounding his claims of first amendment retaliation and breach of contract.

g. Mr. Robert Guerra
Plaintiff
c/o Mr. Alfonso Kennard, Jr.
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Mr. Guerra is a Plaintiff in this case. Mr. Guerra has knowledge of the facts surrounding his claims of first amendment retaliation and breach of contract.

h. Mr. Luis Carlos Gonzalez
Plaintiff
c/o Mr. Alfonso Kennard, Jr.
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Mr. Gonzalez is a Plaintiff in this case. Mr. Gonzalez has knowledge of the facts surrounding his claims of first amendment retaliation and breach of contract.

i. Mr. Epigmenio “TJ” Gonzalez
Plaintiff
c/o Mr. Alfonso Kennard, Jr.
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Mr. Gonzalez is a Plaintiff in this case. Mr. Gonzalez has knowledge of the facts surrounding his claims of first amendment retaliation and breach of contract.

j. Mr. Juan Garcia, Jr.
Plaintiff
c/o Mr. Alfonso Kennard, Jr.
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Mr. Garcia is a Plaintiff in this case. Mr. Garcia has knowledge of the facts surrounding his claims of first amendment retaliation and breach of contract.

k. Mr. Julio Eguia
Plaintiff
c/o Mr. Alfonso Kennard, Jr.
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Mr. Eguia is a Plaintiff in this case. Mr. Eguia has knowledge of the facts surrounding his claims of first amendment retaliation and breach of contract.

l. Mr. Aaron Garcia
Plaintiff
c/o Mr. Alfonso Kennard, Jr.
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Mr. Garcia is a Plaintiff in this case. Mr. Garcia has knowledge of the facts surrounding his claims of first amendment retaliation and breach of contract.

m. Mr. Roel Gonzalez
Defendant
c/o William S. Helfand
Christopher Walton
Lewis, Brisbois, Bisgaard, Smith
24 Greenway Plaza, Suite 1400
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Bill.Helfand@lewisbrisbois.com
Christopher.Walton@lewisbrisbois.com

Mr. Gonzalez may have knowledge of the facts surrounding Plaintiff's claims for first amendment retaliation and breach of contract.

n. Mr. Eduardo Ramirez
Defendant
c/o William S. Helfand
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Christopher.Walton@lewisbrisbois.com

Mr. Ramirez may have knowledge of the facts surrounding Plaintiff's claims for first amendment retaliation and breach of contract.

o. Mr. Noe Castillo
Defendant
c/o William S. Helfand
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Mr. Castillo may have knowledge of the facts surrounding Plaintiff's claims for first amendment retaliation and breach of contract.

p. Mr. Basilio D. Villareal, Jr.
Defendant
c/o William S. Helfand
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Mr. Villareal may have knowledge of the facts surrounding Plaintiff's claims for first amendment retaliation and breach of contract.

q. Mr. Rey Ramirez
Athletics Director
c/o William S. Helfand
Christopher Walton
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Mr. Ramirez may have knowledge of the facts surrounding Plaintiff's claims for first amendment retaliation and breach of contract.

r. Mr. Leo Mireles
Coach
c/o William S. Helfand
Christopher Walton
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Mr. Mireles may have knowledge of the facts surrounding Plaintiff's claims for first amendment retaliation and breach of contract.

s. Mr. Alfredo Garcia
Former RGCCISD Superintendent of Schools
c/o William S. Helfand
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Mr. Garcia may have knowledge of the facts surrounding Plaintiff's claims for first amendment retaliation and breach of contract.

- b. F.R.C.P. 26(a)(1)(B): A copy of - or a description by category and location - of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.**

Plaintiff may use the following categories of documents to support his claims:

- 1) The complete personnel file of Plaintiffs identified above (which is in Defendant's possession);
- 2) Correspondence between Plaintiff and Defendant;
- 3) Documents produced by Plaintiff to Defendant;

4) Documents, video, and or audio produced by Defendants to Plaintiff.

Please see the attached copies of all non-privileged documents in Plaintiffs' possession, custody, or control that may support Plaintiff's claims or defenses: Will Supplement.

c. F.R.C.P. 26(a)(1)(C): A computation of each category of damages claimed by the disclosing party – who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

Plaintiffs seeks all back pay, front pay, compensatory and punitive damages, plus the value of benefits lost. Plaintiffs are still gathering all of the records and information necessary (which includes some that are in Defendant's possession) to provide a calculation. As such, Plaintiffs will update the response once such information and documentation is received.

Since discovery is stayed, Plaintiffs will supplement, as appropriate under the Federal Rules of Civil Procedure. Additional information regarding damages may be provided, as applicable, through expert disclosures and or reports. Plaintiffs, as stated, may seek punitive and or exemplary damages in an amount at the discretion of the factfinder. Plaintiffs will further seek pre-judgment and post-judgment interest and costs. Plaintiffs may seek attorneys' fees (and will supplement if necessary).

d. F.R.C.P. 26(a)(1)(D): For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Plaintiffs are unaware of any such insurance agreements.

Plaintiffs prepared these disclosures with the information currently known at this time. Since litigation is on-going, additional individuals, information, and documents may surface during the course of this litigation. Consequently, Plaintiffs reserve the right to supplement these disclosures to the extent necessary and as necessary.

Respectfully

Submitted,



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ATTORNEY-IN-CHARGE FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of May 2020, a true and correct copy of Plaintiffs Rule 26 Initial Disclosures was served via email on the counsel of record for Defendant:

c/o William S. Helfand
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A blue ink signature of Alfonso Kennard, Jr., consisting of a stylized 'A' followed by a horizontal line and a dot.

Alfonso Kennard, Jr.